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6 **UNITED STATES DISTRICT COURT**
7 **WESTERN DISTRICT OF WASHINGTON**
8 **AT SEATTLE**

9 UNITED STATES OF AMERICA,

NO. MJ09-606

10 Plaintiff,

11 v.

DETENTION ORDER

12 PRITAM MALHI,

13 Defendant.
14

15 Offense charged:

16 Count 1: Conspiracy to Distribute Methamphetamine, in violation of 21 U.S.C. §§
17 841(1)(1), 841 (b)(1)(A) and 846

18 Count 2: Possession of Methamphetamine With Intent to Distribute, in violation
19 of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(A), and 18 U.S.C. § 2

20 Date of Detention Hearing: December 23, 2009

21 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
22 based upon the factual findings and statement of reasons for detention hereafter set forth, finds:

23 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

24 (1) Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that
25 defendant is a flight risk and a danger to the community based on the nature of the pending
26 charges. Application of the presumption is appropriate in this case.

DETENTION ORDER

18 U.S.C. § 3142(i)

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- 1 (2) Defendant is a Canadian citizen with no ties to this jurisdiction.
- 2 (3) Defendant resided in India for much of his life and has relatives in India.
- 3 (4) Canadian law enforcement authorities have noted him as violent.
- 4 (5) Defendant was on a Canadian bond when the incident leading to this arrest took
- 5 place.
- 6 (6) The evidence against the defendant, although the least important detention
- 7 factor, is strong. Defendant owned the vehicle in which over \$1,000,000 worth of
- 8 methamphetamine was seized. He also engaged in evasive conduct in the United States
- 9 strongly suggesting his knowledge of illegal activities.
- 10 (7) There are no conditions or combination of conditions other than detention that
- 11 will reasonably ensure the appearance of the defendant.

12 **IT IS THEREFORE ORDERED:**

- 13 (1) Defendant shall be detained and shall be committed to the custody of the
- 14 Attorney General for confinement in a correction facility separate, to the extent
- 15 practicable, from persons awaiting or serving sentences or being held in custody
- 16 pending appeal;
- 17 (2) Defendant shall be afforded reasonable opportunity for private consultation with
- 18 counsel;
- 19 (3) On order of a court of the United States or on request of an attorney for the
- 20 government, the person in charge of the corrections facility in which defendant
- 21 is confined shall deliver the defendant to a United States Marshal for the
- 22 purpose of an appearance in connection with a court proceeding; and

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1 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
2 counsel for the defendant, to the United States Marshal, and to the United States
3 Pretrial Services Officer.

4 DATED this 23rd day of December, 2009.

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7 JAMES P. DONOHUE
8 United States Magistrate Judge
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